

FILED: November 3, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1817
(5:14-cv-00524-BR)
(09-10340-8-SWH)
(10-00023-8-SWH)

WEAVER COOKE CONSTRUCTION, LLC

Third Party Plaintiff - Appellant

v.

WATERPROOFING SPECIALTIES, INCORPORATED

Third Party Defendant - Appellee

and

NEW BERN RIVERFRONT DEVELOPMENT, LLC

Party-in-Interest - Appellee

and

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA; CLERK
OF COURT STEPHANIE J. BUTLER; GOURAS, INCORPORATED;
FLUHRER REED, P.A.

Parties-in-Interest

O R D E R

Upon review of submissions relative to the motion to dismiss, the Court grants the motion.

Entered at the direction of Senior Judge Hamilton with the concurrence of Judge Shedd and Judge Duncan.

For the Court

/s/ Patricia S. Connor, Clerk